

North Dakota State Board of Funeral Service
Minutes of Meeting June 20, 2017

The North Dakota State Board of Funeral Service met via conference call on June 20, 2017 at 8:30 A.M.

Those present were: Mylynn Tufte, Dale G. Niewoehner, Jeffrey Brose, and Michael Such. Attorney John Tyler was also present.

Chairman Brose called the meeting to order at 8:30 A.M.
Brose welcomed North Dakota State Health Officer Mylynn Tufte to the Board.

The minutes of the November 29, 2016 meeting were approved by a motion from Such and seconded by Niewoehner and carried.

The printed financial report was reviewed by the members of the Board and approved by a motion from Such and seconded by Tufte and carried.

Old Business:

Attorney Tyler informed the Board that HB1294 would become law on August 1, 2017. The Board concluded that, since our attorney will change, that any work to do on the Administrative Code should wait until the new attorney is in place.

New Business:

Niewoehner presented to the Board the names of Melissa J. Nelson #1314 (26 January 2017), Sabrina J. Wasvick # 1315 (30 March 2017), Julia D. Crisman # 1316 (28 April 2017) and Tracy A. Grueneich # 1317 (8 May 2017) for licensure as funeral practitioners. He also presented Armstrong Funeral Home # 173 (10 November 2016) for licensure. Such made a motion to approve the applicants and seconded by Niewoehner and the motion carried with a roll call vote.

The Board discussed the complaint against the North Valley Crematory in Grand Forks brought to the Board from the North Dakota Attorney General's office in April from Donald Mink regarding the lost shipment of cremated remains of his mother, Mary Mink. After much research and significant discussion by the Board, Niewoehner moved to dismiss the complaint since no Codes or Laws were determined to have been violated. The motion was seconded by Tufte. A roll call vote was taken and all voted YES. Attorney Tyler will send notification to the Supreme Court, North Valley Crematory, and Mr. Mink.

Additional discussion was held by the Board focused on the suggestions made by Niewoehner for a recommendation for the shipment of cremated human remains. The recommendation dealt with proper packing and identification of the contents for shipment. A motion was made by Such and seconded by Tufte to mail the recommendations and USPS Publication 139 to all funeral

establishments and crematories in North Dakota. The motion carried by all voting yes.

The next item on the agenda was the discussion of a letter from the Federal Trade Commission - Midwest Region office received by the Board. The letter is to remind practitioners of the seriousness of the Funeral Rule and its compliance for all funeral providers. A motion was made by Tufte and seconded by Niewoehner to send a copy of this letter to all funeral establishments and crematories.

The next topic of discussion was the matter of Heritage Cremation Provider. This company advertises cremation services leading the public to believe that the company is located in North Dakota or other areas of the nation. Actually the company sub-contracts the work to other funeral establishments around the nation and is only a virtual office located in Colorado. Complaints around the United States led the State of Colorado - Division of Professions and Occupations - Department of Regulatory Agencies to issue an **Order of Summary Suspension** to the Company. The Board was lawfully given a copy of the Order by the International Conference of Funeral Service Examining Boards. A motion was made by Niewoehner and seconded by Such that a copy of the Order, along with a brief explanation, be sent to all funeral establishments and crematories in North Dakota.

Niewoehner informed the Board that a embalming service is planning to open in Bismarck/Mandan, operating out of a licensed funeral establishment. He also informed the Board of a new contract with the State Health Department for the next two years for inspection services.

Several weeks ago an inquiry was made by a funeral practitioner concerning the disinterment of two priests with re-burial in a church. Tufte asked if this matter was dealt with at any time. Attorney Tyler had provided information and these Codes were provided to the funeral practitioner.

Attorney John Tyler informed the Board that he will be leaving his position at the Attorney General's Office. The Board thanked him for his ethical work for the Board and wished him well.

Meeting was adjourned at 9:47 A.M.

Respectfully submitted,
Dale G. Niewoehner, Secretary

